

### **REMARKS**

This paper is submitted in reply to the Office Action request for discussion of new claim 116 and how it is distinguished from prior art of record. New claim 116 recites, in relevant part:

receiving an offer from a purchaser, the offer including a network communication device identifier to identify a network communication device used by the purchaser to access a merchant web page; and

if the network communication device is registered with a purchaser data repository and the merchant is authorized to access purchasing information associated with the purchaser, retrieving the purchasing information associated with the purchaser from the purchaser data repository;

The cited art fails to teach or suggest at least these features. Specifically, Paltenghe and Meyer fail to teach or suggest at least a **network communication device identifier**, and retrieving purchasing information if the network communication device is registered with a purchaser data repository. Paltenghe merely describes a virtual wallet in which purchaser information can be stored, and does not describe a network communication device identifier as recited in the claims. Meyer merely describes a system for sending promotional items to consumers, and does not use or suggest a network communication device identifier as recited in the claims.

Whether considered alone or in combination, the cited art also fails to teach or suggest the combination of features recited in new claim 116. Specifically, the cited art does not suggest a method comprising receiving an offer from a purchaser, the offer including a network communication device identifier to identify a network communication device used by the purchaser to access a merchant web page, if the network communication device is registered with a purchaser data repository and the merchant is authorized to access purchasing information associated with the purchaser, retrieving the purchasing information associated with the purchaser from the purchaser data repository, sending a purchase query to the network communication device, and in response to a purchase reply received from the network communication device, sending purchase transaction information to the merchant.

For at least these reasons, claim 116 is patentable over the cited art.

Based on the above remarks and on the remarks presented in the prior-submitted Amendment, Applicants believe the claims are in condition for allowance. The Commissioner is authorized to charge any fees or credit any overpayment to the deposit account of Kenyon & Kenyon LLP, Deposit Account No. 11-0600.

The Examiner is invited to contact the undersigned to discuss any matter concerning this application.

Respectfully submitted,

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